

## **REMARKS**

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed February 14, 2006. Claims 54-79 and 106-142 have been withdrawn. Claims 1-53 and 80-105 are rejected. In this Amendment, Claims 1, 27, 53, and 80 have been amended. Applicants submit that the amendments are fully supported by the Specification and accompanying drawings as filed and do not add new matters.

### **Rejections under 35 U.S.C. § 102(e)**

The Examiner has rejected claims 1-12, 15-21, 27-38, 41-47, 53, 80-87 and 90-100 under 35 U.S.C. §102(e) as being anticipated by Loffler, et al., (USPN 6,068,611, "Loffler"). As discussed below, the pending claims are patentable over the above reference.

Independent claim 1, as currently amended recites,

1. (Currently Amended) A multi-lumen balloon radiation centering catheter assembly, comprising:
  - a multi-lumen balloon having a plurality of inflatable outer lumens disposed around a central lumen, the plurality of outer lumens integrally coupled with the central lumen so as to form the multi-lumen balloon with a continuous perimeter; and
  - a catheter shaft disposed proximate to the balloon, the catheter shaft including an inner lumen longitudinally extending through at least a portion of the catheter shaft proximate the balloon and connected to the central lumen, the inner lumen adapted for receiving a radiation source lumen, the inner lumen further adapted for receiving a guidewire lumen for positioning the multi-lumen balloon radiation centering catheter within a body vessel, wherein the guidewire lumen extends lengthwise through one of the plurality of outer lumens, and wherein slideable seals are provided to seal both ends of the multi-lumen balloon where the guidewire is received.

Independent claims 27 and 80 contain similar elements as claim 1 with respect to the multi-lumen balloon with a continuous perimeter and with respect to the slideable seals being provided to seal both ends of the balloon where the a guidewire is received.

Applicants respectfully submit that Loffler does not disclose each and everyone of the

elements of the pending claims. Applicants' claimed invention pertains to ONE balloon with multiple inflatable lumens with a central lumen. The multiple lumens in this ONE balloon share a continuous balloon wall, as shown in the drawings and disclosed in the Specification. The multi-lumen balloon thus has a continuous perimeter. Applicants taught techniques that can be used to form such multiple lumens for ONE balloon.

As recited in the claims, the outer lumens are integrally coupled with the central lumen so as to form a multi-lumen balloon with a continuous perimeter. This is different from Loffler where multiple balloons, elongated balloons are connected, or fastened together on the outer peripheral of a central balloon. These multiple balloons disclosed in Loffler do not form ONE balloon or do not form one multi-lumen balloon with a continuous perimeter.

Additionally, Loffler lacked the teaching of a "slideable proximal seal" and a "slideable distal seal." This unique feature enable a guidewire to be disposed in one of the lumens in the balloon while still able to seal the end where the guidewire enters.

Thus, for at least the reasons above, Applicants respectfully submit that Loffler does not anticipated the currently amended and pending claims and earnestly seeking the Examiner to withdraw the rejections.

#### **Rejections under 35 U.S.C. § 103(a)**

The Examiner has rejected claims 22-25, 48-51, 101-104 under 35 U.S.C. §103(a) as being unpatentable over Loffler. The Examiner has also rejected claims 13-14, 39-40 and 88-89 under 35 U.S.C. §103(a) as being unpatentable over Loffler in view of Klein (USPN 5,863,284, "Klein"). The Examiner has also rejected claims 26-52, and 105 under 35 U.S.C. §103(a) as being unpatentable over Loffler in view of Voyles.

Similar to previously discussed, for at least the reasons above, Applicants respectfully

submit that Loffler does not make obvious these claims in view of Klein, or Voyles.

Applicants respectfully request the Examiner to withdraw these rejections.

**Previously Submitted IDS**

The Examiner has rejected the Information Disclosure statement filed 5/22/00 for not complying with 37 CFR 1.98(a)(2). Applicant is resubmitting the Information Disclosure Statement along with legible copies of the cited foreign patent documents and non-patent literature publication.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Mimi Dao at (408) 720-8300.

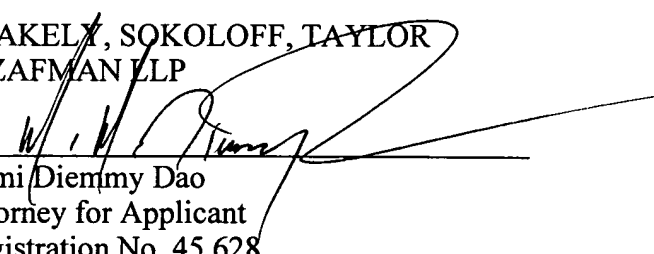
**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR  
& ZAFMAN LLP

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